

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**(hunteb01.007)**

5      **Applicant:**            Hunter, et al.                                    **Confirmation No.:** 5130  
10     **Application No:**        10/018,696                                    **Group Art Unit:** 3693  
10     **Filed:**                    12/13/2001                                    **Examiner:** Apple, Kirsten Sachwitz  
10     **Title:** *Resource allocation techniques*  
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15     Commissioner for Patents  
15     Alexandria, VA 22313-1450

**Response to a non-final Office action under 37 C.F.R. 1.111**

**Summary of the prosecution**

20    This application is the U.S. National Stage of PCT/US01/00636, filed 9 January 2001 and  
claiming priority from U.S. Provisional Patent Application 60/175,261, filed 10 January  
2000. Examiner made a telephonic restriction requirement in the application in which  
she found three groups of claims:

25    Group A                    Claims 1-10  
25    Group B                    Claims 11-18  
25    Group C                    Claims 19-24

Applicants elected the claims of Group C without traverse.

30    In a first Office action mailed 4/2/2007, Examiner rejected claims 19-24 under 35 U.S.C.  
101 as not being directed to patentable subject matter and under 35 U.S.C. 103 as obvious  
over the combination of U.S. patent 6,085,216, Huberman, et al., *Method and system for*  
*efficiently allocating resources for solving computationally hard problems*, filed Dec. 31,  
1997 and issued July 4, 2000 (hereinafter "Huberman") and Jan A. Van Mieghem, *Multi-*  
*resource investment strategies under uncertainty*, dissertation, Graduate School of  
35    Business, Stanford University, April, 1995 (hereinafter "Van Mieghem"). Applicants are  
amending their claims to overcome the rejections under 35 U.S.C. 101, traversing the

rejections under 35 U.S.C. 103, amending claim 23 to correct an error, and adding new claims 25 and 26 which remove an unnecessary limitation of claims 19 and 20.

**Please amend the claims as follows:**

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